



County of Los Angeles
CHIEF ADMINISTRATIVE OFFICE

713 KENNETH HAHN HALL OF ADMINISTRATION • LOS ANGELES, CALIFORNIA 90012
(213) 974-1101
<http://cao.co.la.ca.us>

DAVID E. JANSSEN
Chief Administrative Officer

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July 17, 2006

To: Mayor Michael D. Antonovich
Supervisor Gloria Molina
Supervisor Yvonne B. Burke
Supervisor Zev Yaroslavsky
Supervisor Don Knabe

From: David E. Janssen
Chief Administrative Officer

**MOTION TO SUPPORT ASSEMBLY BILL AB 2384 (LENO) – LEGISLATION TO
CREATE A “HEALTHY FOOD PURCHASE” PILOT PROGRAM (ITEM NO. 45-A,
SUPPLEMENTAL AGENDA OF JULY 18, 2006)**

Item No. 45-A on the July 18, 2006 Supplemental Agenda is a motion by Mayor Antonovich recommending that the Board of Supervisors support AB 2384 and send a five-signature Board letter to Assembly Member Leno with copies to the Governor and the Los Angeles County Legislative Delegation.

AB 2384 makes legislative declarations on the importance of eating fruits and vegetables to reduce the risk of diet-related diseases and finds that healthier foods, including fruits and vegetables, are less available and more costly in low-income neighborhoods. AB 2384 would require the California Department of Health Services (CDHS) to consult with the California Department of Food and Agriculture to develop a “Healthy Food Purchase” pilot project in up to seven counties to improve the health and nutrition of low-income families by increasing access to affordable, fresh produce.

Under the pilot, CDHS would be required to develop strategies to encourage small grocers in targeted low-income neighborhoods to increase offerings of fresh fruits and vegetables for purchase. This would include providing food retailers in selected communities with support or assistance to obtain refrigerated produce display cases and technical assistance on the purchase, storage, marketing and display of fresh produce. Available Federal funds would be used to provide technical assistance, as appropriate.

The pilot would also include incentives to encourage food stamp recipients to increase their purchase of fresh fruits and vegetables. As noted by the California Food Policy Advocates the sponsors of AB 2384, this could include providing bonuses to food stamp recipients who purchase fresh produce using the Electronic Benefits Transfer (EBT) card. The bonus would be placed on the EBT card for future use. CDHS would be required to seek necessary Federal approval to allow use of the EBT card to provide the incentives. In addition, the California Food Policy Advocates report that the development of the incentive is dependent on a retailer's ability to identify specific purchases and produce a receipt highlighting the amount of fresh produce purchased, the ability of the EBT system to capture the value of the incentive and record it to an individual food stamp recipient's EBT card, and the ability for the transaction to be completed without stigmatizing the food stamp recipient or creating burdensome steps for the retailer.

CDHS would be required to consult with the U.S. Department of Agriculture's Economic Research Service to develop a process for evaluating the effectiveness of the pilot, contract with an independent consultant for the evaluation, and make recommendations to the Legislature regarding continuation of the pilot and any State or Federal policy changes needed to support the goals of the pilot.

Implementation of AB 2384 would be contingent on an appropriation of funds in the annual Budget Act or by enactment of another statute specifically for the purpose of implementing the "Healthy Food Purchase" pilot program. AB 2384 would be effective January 1, 2007 and sunset January 1, 2011.

The Department of Public Social Services recommends support for AB 2384 because it will promote healthy choices for families receiving Food Stamp benefits, and we concur. Support for AB 2384 is consistent with current Board policy to support measures which establish, enhance, or fund policies, programs, research, standards, education curriculum, and public awareness campaigns that encourage physical activity, healthy eating, breast feeding, availability of nutritious and safe foods, and reduce the prevalence of smoking and obesity.

AB 2384 is sponsored by the California Food Policy Advocates and is supported by the Alameda County Community Food Bank, Association of California Independent Grocers and Convenience Stores, California Catholic Conference, California Center for Public Health Advocacy, California Chiropractic Association, California Dietetic Association, California Food Justice Coalition, California Hunger Action Coalition, California Immigrant Welfare Collaborative, California Medical Association, County of Santa Cruz, Girl Scouts Council of California, Latino Coalition for a Healthy California, Lieutenant Governor Cruz Bustamante, National Association of Social Workers, Second Harvest

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Food Bank Services, Immigration Rights and Education Network, Statewide Youth Board on Obesity Prevention, and Western Growers. There is no recorded opposition on file.

AB 2384 passed the Senate Health Committee on June 28, 2006 by a vote of 5 to 3, and now proceeds to the Senate Appropriations Committee.

DEJ:GK:
MAL:JF:VE:cc

c: Executive Officer, Board of Supervisors
 County Counsel
 Director, Department of Public Social Services